

Bureau of Land Management
Northeast California and Northwest California
Resource Advisory Councils

Field Tour and Combined Meeting
Wednesday, June 12
Weaverville, California

Summary Minutes

Field Tour

Members of the councils toured part of the Grass Valley Creek Watershed east of Weaverville, where work has been underway for two decades to reduce sediment flow into the Trinity River. The councils also toured project sites on the Trinity River, where the Trinity River Restoration Program and its partners, including the BLM, are working to improve habitat conditions.

Combined Meeting

The meeting came to order at 1 p.m., chaired by Ryan Henson of the Northwest RAC.

Attending

Category one:

Northeast: Skip Willmore, Todd Swickard, Russ Hawkins. Absent: John Erquiaga, Ken McGarva.

Northwest: Dennis Possehn, Eric Lueder, Alan Abbs. Absent: Stan Leach.

Category two:

Northeast: Louise Jenson, Gale Dupree, Frank Bayham. Absent: Alan Cain, Judy Oliver.

Northwest: Bob Schneider, Ryan Henson. Absent: Michael Kelley, John Bernstein.

Category three:

Northeast: Carol Montgomery, Sean Curtis. Absent: Rich DuVarney, Jim Chapman, Brad Hanson.

Northwest: Tony Shaw, Pat Frost. Two vacancies.

BLM Staff: District Manager Nancy Haug, Alturas/Surprise Field Manager Tim Burke, Eagle Lake Field Manager Ken Collum, Redding Field Manager Jennifer Mata, Redding Supervisory Natural Resources Specialist Rebecca Carr, Northern California District Public Affairs Officer Jeff Fontana.

Guests: By conference phone line: Carla Bowers, Deniz Bolbol.

The meeting agenda was approved.

Leadership Reports

State Director: On behalf of BLM California State Director Jim Kenna, Nancy Haug presented the following:

State Director's Report to the
Joint Northeast and Northwest California Resource Advisory Councils
Weaverville, California
Tuesday through Thursday, June 11-13, 2013

- I again want to express my sincere appreciation to all RAC members for your service and contributions to the BLM-managed public lands throughout northern California. The remaining of Fiscal Year 2013 and Fiscal Year 2014 will be challenging and rewarding, and I appreciate your commitment to work as advisors to the BLM as we share ideas and work together to manage, protect and promote our public lands.
- Budget – For the remainder of Fiscal Year 2013, we will continue to operate under a continuing resolution through September 30, 2013.
- American Taxpayer Relief Act of 2012: For the past year BLM California has strategically been planning how to minimize potential impacts resulting in possible budget reductions and the across-the-board spending cuts known as sequestration. As a result, BLM employees will not be furloughed. However, budget reductions will impact most, if not all, BLM programs. Therefore, we will continue to strategically realign our workload priorities to ensure we achieve state and national mission-critical goals and objectives, while balancing budget reductions with realistic reductions in workload capabilities.
- Congressional/Legislative Update: The 113th Congress includes several new House members from throughout California. I made initial contact with some of our new members and will schedule follow-up visits in Washington, D.C. the week of June 17 to provide more detailed information about the BLM and BLM-managed public lands within their respective Districts. I also will brief BLM Washington Office and Department of the Interior officials on major BLM California programs and initiatives.

Several legislative proposals involving public lands in California died in committee after they were not acted upon before Congress convened in December. The BLM will keep you informed should any of these bills be reintroduced.

- Youth: BLM California and the California State University, Chico, hosted youth summits in northern and southern California to strengthen public lands partnerships to educate, engage and employ underserved, youth. More than 60 local, state and Federal agencies, educational and non-government officials attended the summits. The BLM developed and as funding allows, will implement a three-year plan to develop Field

School partnerships with other Federal agencies and educational institutions to expand youth employment opportunities.

- **BLM California's Strategic Framework:** BLM California has three business lines: Sustainability, Heritage, and Community, set upon a foundation of Operational Excellence and our Core Values. Each business line expresses three outcome goals that outline long-term direction and desired results for public land management, and set workload priorities across programs in support of BLM's mission to sustain the health and productivity of public lands for the use and enjoyment of present and future generations.

Central California District

- **Coastal Collaborative:** The Coastal Collaborative is a joint endeavor between the BLM, California Natural Resources Agency and coastal gateway communities to conserve California's coastal landscape and promote sustainability and economic growth. Expanded gateway partnerships will develop strategies to integrate tourism and coastal protection.
- **BLM Postpones California Oil and Gas Lease Sale:** Due to budget constraints resulting from the sequester and an emphasis on the higher priorities for conducting Inspection and Enforcement on existing leases and processing new Applications for Permit to Drill, the California State Office of the BLM has postponed all oil and gas lease sales in California for the remainder of Fiscal Year 2013 (September 30, 2013). The BLM had tentatively scheduled a competitive oil and gas lease sale on Wednesday, May 22, to offer four parcels that encompass approximately 1,278 acres of public lands in Fresno and Kern counties.
- **Federal Judge Determines BLM National Environmental Policy Act (NEPA) Analysis for Oil and Gas Leases Inadequate:** On March 31, 2013, Paul S. Grewal, United States Magistrate, U.S. District Court, Northern District of California, San Jose Division granted a motion by the Center for Biological Diversity (CBD) and Sierra Club that the BLM's environmental assessment for its September 14, 2011, oil and gas lease sale was inadequate, violated the NEPA, and did not adequately consider potential safety and environmental impacts resulting from hydraulic fracturing. Grewal's decision also granted in part the BLM's motion that the terms of the lease sales issued did not violate the Mineral Leasing Act claims. Grewal also determined an environmental impact statement was the proper form of the NEPA. At the September 2011 lease sale, the BLM auctioned four parcels encompassing approximately 2,700 acres of public land in Fresno and Monterey Counties. Grewal approved a Stipulated Request to Set Briefing Schedule on the Remedy, which was submitted to the Court by Plaintiffs CBD and Sierra Club and the Department of Justice representing BLM California and Sally Jewell: June 3, Plaintiffs file their opening brief; June 25, Defendants file their response brief; and July 9, Plaintiffs file their reply brief. A Case Management Conference is set for May 28.
- **Public Safety - Marijuana Eradication Operations in California:** BLM California is part of a multi-agency task force of Federal, state and local law enforcement agencies

committed to eradicating illegal marijuana gardens on Federal, state and private lands in California. Garden cultivators destroy natural resources and represent a danger to anyone who accidentally finds a garden. The agencies invest tens of thousands of dollars annually to eradicate and rehabilitate garden sites, remove tons of trash, restore access, and protect public safety.

California Desert District

- **Renewable Energy Update:** The BLM has authorized 17 wind, solar and transmission projects in California since 2009, and is amending the right-of-way grant for two additional solar projects, as a result of change in technology. Once operational, these projects will have the capability to produce almost 5,000 megawatts, supply electricity to tens of thousands of California households, create thousands of construction and permanent jobs, and contribute millions of dollars to local, county and state economies.
- **The Desert Renewable Energy Conservation Plan (DRECP)** The Renewable Energy Action Team, a collaborative effort between the California Energy Commission, California Department of Fish and Game, the BLM and U.S. Fish and Wildlife Service, is preparing the DRECP. The Plan will protect and conserve desert ecosystems while facilitating development of renewable energy on Federal and non-Federal lands throughout southern California. The draft is scheduled for public release in the summer of 2013.
- **BLM Authorizes Proposed Wind Energy Project in Southern California:** The BLM has approved and issued a right-of-way grant to Alta Windpower Development, LLC to construct, operate, maintain and decommission a wind energy generation facility capable of generating up to 153-megawatt of power. Fully operational, the facility will produce enough electricity to power up to 45,000 homes. The project would be located approximately three miles northwest of the Town of Mojave and approximately 11 miles east of the City of Tehachapi and will encompass 1,999 acres of public lands. Alta Wind, LLC also submitted use permit applications to Kern County for an additional 593 acres of private land, for a total size of 2,592 acres.
- **Military Withdrawals –** The DoN/USMC, in consultation with the BLM and Department of the Interior (DOI), drafted legislation for the DoN's proposed 25-year renewals of current withdrawals for the China Lake Naval Weapons Station and the USMC Chocolate Mountain Aerial Gunnery Range that will expire October 30, 2014, and a withdrawal expansion of the USMC Marine Corps Air Ground Combat Center (MCAGCC) at Twenty-nine Palms, CA.

The National Defense Authorization Act for Fiscal Year 2014 (H.R. 1960) was introduced last month and referred to the House Armed Services Committee. H.R. 1960 included provisions to renew the China Lake and Chocolate Mountain military land withdrawals and expand the Twentynine Palms withdrawal. Several amendments to the legislation have been introduced that would remove the withdrawal provisions and replace them with provisions that would:

- Transfer BLM lands within the China Lake withdrawn area to DOD
- Transfer BLM lands within the Chocolate Mountains withdrawn area to DOD
- Designate the Johnson Valley National OHV area and transfer BLM lands in the “Southern Study Area” to DOD

The House Armed Services Committee, chaired by Rep. Buck McKeon, is scheduled to meet on Wednesday, June 5 to consider the proposal.

- **BLM Releases Business Plan for Imperial Sand Dunes Recreation Area (ISDRA):** On May 31, the BLM released the 2013 Final Business Plan for the ISDRA. The plan contains the overall financial strategy for managing the ISDRA, including a proposal for adjusting fees to sustain current levels of emergency medical services, search and rescue, law enforcement, and maintenance necessary for visitor safety in the recreation area. The proposed adjustments for off-site sales would increase weekly fees by \$10 and season permits by \$60. The new proposed off-site weekly fee would be \$35 and the season permit would be \$150. Fees would be eliminated from April 15 through September 30, shortening the fee season. Under the proposed business plan, fees would contribute about two-thirds of the revenue needed to manage the recreation area. The remaining funds would come from annually appropriated Federal funds and grants from various sources. The public is invited to comment on the plan through Sunday, June 30. Following the comment period, the plan will undergo a final internal review. The BLM anticipates presenting the business plan and fee proposal to the Recreation/Resource Advisory Council or the Desert Advisory Council in August and finalizing new fees in time for the 2014 season beginning October 1.
- **Imperial Sand Dunes Recreation Area (ISDRA) Resource Area Management Plan (RAMP) and Record of Decision (ROD):** The BLM has worked closely with the California State Historic Preservation Officer (SHPO) in accordance with the State-BLM Consultation Protocol, and recently received a letter of concurrence from the SHPO regarding the RAMP. The BLM is in the process of finalizing the ROD to include additional information requested by the SHPO to address their concerns regarding consistency with existing/ongoing planning efforts, methodology, data inconsistencies, and impacts on cultural resources. As a result, the signing of the ROD may be delayed several weeks.
- **Blade Falls off Turbine at Ocotillo Express Wind Project, Imperial County, CA:** Pattern Energy notified the BLM on May 16 that a blade had detached from a turbine rotor. No one was injured and the blade did not damage any sensitive biological or archaeological resources, personnel, property or the environment. Pattern is conducting a comprehensive investigation of the incident, and has shut down all turbines in compliance with the BLM Notice of Temporary Suspension of Operations. A team of representatives from an independent engineering consultant (WINDProve) traveled to the blade manufacturing facility to review the manufacturing process and discuss corrective actions for the Ocotillo turbines. The BLM and Pattern Energy are conducting daily discussions to review ongoing inspection activities.
- **BLM District Advisory Council Public Meeting Scheduled in June:** The BLM California Desert Advisory Council (DAC) will hold a business meeting on Friday, June

7, from noon to 4:30 p.m. at the Jawbone Station Visitors Center, located at Highway 14 and Jawbone Canyon Road, Cantil, California. The DAC will meet in formal session on Saturday, June 8 from 8 a.m. to 4:30 p.m. at the Carriage Inn in Ridgecrest, California. Both meetings will be open to the public. Agenda topics for the Saturday meeting will include a status report on the West Mojave Plan, and updates by Council members, the BLM California Desert District Manager, the five Field Managers, and council subgroups. Finalized agenda items are posted on the DAC web page at <http://www.blm.gov/ca/st/en/info/rac/dac.html>.

District Manager's Report

Nancy Haug reported the following:

- The district is planning along with the rest of the state for a 21 percent personnel reduction over the next three years, at the rate of a seven percent reduction per year. Managers are all looking at tables of organization and adjusting to meet budget reduction projections. We are planning for a worst case scenario statewide and developed a work force plan to present to headquarters for approval. The details will be shared with employees. In response to a question, she noted the RACs were not consulted per the charter that precludes resource advisory councils from budget discussions.
- The district is preparing along with other California BLM offices to centralize the fire organization in the district. In the new organization, the field office fire management officers will report to district fire management officer, not the field managers as currently organized. The district FMO reports to the DM, the DM to the state director. There will be no change service to the public or the fire crews. The biggest change will be in the field office reporting structures. The importance of the connection between the fire program and field offices is recognized and all efforts will be made to maintain that connection, regardless of the reporting structure.
- This was preceded by the district's zoning of other fire functions. The Alturas and Surprise crews will be zoned into a single crew; on the west side of the district, the FMO in Arcata also serves Ukiah.
- Annual Fire preparedness reviews will get underway next week.

Nancy summarized the sage grouse RMP EIS and process and the upcoming work by the northeast RAC. She credited the field office staffs for hard work in producing a large volume of work in a short timeline.

Watershed Analysis Project Report

Karl Stein, natural resources specialist, updated the RAC on the BLM's partnership with Trout Unlimited's Conservation Success Index project on BLM lands. This was an update on the presentation Karl presented to the combined RACs last year. A copy of his PowerPoint presentation is attached to these meeting notes.

The tool enables managers to use a consistent, data driven process on a landscape scale to analyze watershed ecological condition. It provides data that land managers can use in decision making.

There were clarifying questions and continuing RAC discussion about application of the tool.

RAC 101

Jeff Fontana updated the RAC members on their roles and responsibilities as defined in the RAC charter and standard operating procedures:

Authority and Charters

The BLM's Resource Advisory Councils are authorized under the Federal Land Policy and Management Act of 1976. The current council configurations date to the BLM's Healthy Land Regulations of 1995.

Function of the councils is governed by the Federal Advisory Committee Act (FACA) of 1972. The Act directs the establishment, operation, oversight and termination of advisory boards. Importantly, FACA:

- Recognizes the merits of federal agencies seeking the advice and assistance of citizens
- Notes the importance of federal officials and the nation having access to information and advice on a broad range of issues affecting federal policies and programs, and the importance of public opportunities to provide input into a process that may form the basis for government decisions.
- Requires that membership be balanced
- Mandates that meetings be open to the public and announced in advance
- Requires that meeting records be available to the public
- Requires charters and assigned Designated Federal Officials for each council
- Sets rules regarding financial conflicts for members

Overview of BLM RACs

- 24 RACS operate in the 11 Western states
- RACs can be organized along district lines, BLM state lines, or geographic lines.

- RAC membership is balanced according to areas of interest and geography.

RACs are part of the “fabric” of the BLM and actually predate the agency. The first advisory council was formed in 1937 under the Grazing Service. The councils have evolved and changed with the evolution of BLM’s multiple use mission.

Today’s RACs date to 1995 and the BLM land health regulations which eliminated old district advisory councils and grazing advisory boards, replacing them with RACs.

The RAC Charters

The advisory council reports to the secretary of the interior through the BLM designated federal official. For the Northwest and Northeast California RACs this is the Northern California District manager. Members serve without salary, but are reimbursed for expenses. Duties include:

- Developing recommendations regarding preparation, amendment and implementation of land use plans
- Gathering and analyzing information, conducting field studies, hearing public comments and advising on issues before the BLM.
- Advising BLM in developing recommendations on ecosystem management concepts.
- Providing advice to the BLM on best ways to work with local groups.

The council does not:

- Advise on budget or personnel matters (the council can advise on long term planning and priorities).
- Lobby members of Congress or other elected bodies on behalf of the BLM.

RAC Composition

Each RAC consists of 12 to 15 members from diverse interests in local communities, including ranchers, environmental groups, tribes, State and local government officials, academics, and other public land users. Each Council must include representatives of three categories:

- Commercial/commodity interests
 - Grazing permit holders
 - Forestry/commercial timber
 - Energy and minerals

- Transportation and rights of way
- Commercial recreation (including OHV recreation)

- Environmental/historical groups
 - National and regional environmental organizations
 - History and archaeology interests
 - Wild Horse and Burro interests
 - Dispersed recreation interests

- State and local government
 - State, county or local elected officials
 - State agencies responsible for natural resources
 - Native American tribal representatives
 - Teachers in natural resources or natural sciences
 - Public at Large

Voting

The Northeast and Northwest California RACs have a history of working toward full consensus when developing recommendations for the BLM. The charter contains a protocol that must be followed if votes are taken.

To forward a recommendation to the designated federal official (northern California district manager):

- There must be a quorum, which is a majority of the members in each voting category present.
- A majority of the members in each voting category must vote in favor of the recommendation. There is not a “one person, one vote” system. This is designed to encourage disparate groups to work toward consensus.
- Forwarding a request directly to the Secretary requires unanimous agreement of all council members.

Subgroups

The charter provides for various subgroups who report to the full RAC

- Subcommittees and Rangeland Resource Teams
 - Members can be from the RAC or outside of the council. Only council members are reimbursed for expenses.
 - Membership must reflect the balance required in the council charter.

- Subcommittee members may not participate in matters in which they have a direct financial interest.
- Subcommittees can gather information, conduct research, analyze relevant issues and facts

- Technical Review Teams
 - May be formed at the option of the BLM or the RAC
 - Members selected by the BLM based on their subject matter expertise
 - Membership limited to BLM staff and paid federal consultants
 - Terminate when tasks are completed

Meetings of subgroups require the same notification as the full RAC, including a 30-day advance notice published in the Federal Register.

Records of those meetings, along with records of regular RAC meetings are maintained by BLM and available to the public. They are posted on the BLM website.

RAC Work Planning

Nancy discussed the changes in management direction and fiscal concerns facing the BLM and the need to change RAC structure into a single district organization. She announced that BLM-California will move forward with creating a new 15-member Northern California District Resource Advisory Council, a consolidation of the existing Northeast and Northwest California RACs.

She said the new structure will more closely align the Northern California District with RAC structures in the Central California and California Desert districts.

Nancy stressed that she believes strongly in the RACs, the service they provide and the connections to constituents that RAC members help to facilitate. She expressed hope that the RAC members will help to establish an effective council with the same level of dedication as shown by our existing councils.

Further, she expressed confidence that a consolidated RAC will enable the BLM to fill all seats in each membership category, avoiding duplication that now exists.

Discussion:

Louise Jensen: As a manager facing organizational cuts herself, she appreciates Nancy's candor and supports the process. She said the Lassen Land and Trails Trust, where she serves as executive director, will continue to be a BLM partner regardless of RAC outcome.

Skip Willmore: Has noticed that the councils have moved away from their chartered duties. The work was previously focused on recommendations that were forwarded to the state director. Former state directors attended and discussed the results of the RAC

input. In the past few years we are not advising as much as just listening to what the field offices are doing. The RACS are not being used as effectively by the BLM as they could be. Too many agenda items are just information. The RACs are not being utilized to the potential that we have. There is a lot of "brainpower" that is not being used at the rate it was a few years ago.

It will be hard for people to recommend on actions far removed from their home areas in a new RAC structure.

Louise agreed that Skip brings up a challenge in the vastness of the region because of the lack of familiarity

There was discussion about the most effective ways for the BLM to use the councils, and not just provide information.

Bob Schneider: As a volunteer he does not have to like or embrace decisions. He drew a distinction between "good" and "necessary" decisions, saying they are not necessarily one and the same. He wants to mull over the decision before.

Todd Swickard: One of the strong suits of the BLM and the RACs is the connection to local communities. NEPA has kind of subverted that. He questioned whether the new structure would reduce local input into decision making. Nancy said she expects a continuation of RAC connections to local communities.

Bob said he is concerned with moving the Ukiah Field Office into the Central California District RAC, saying the office will become a "stepchild" to the Sierra Nevada.

Frank Bayham shared Skip's comments about the lack of recommendations, and also shared appreciation for the need for change with the changing times. He said there continues to be value in groups of people with diverse interests working together to solve issues.

Rich Burns suggested that the Central California District could consider expanding to a 15-member RAC to broaden membership and geographic representation.

Russ Hawkins: Was concerned that on today's trip there were not enough questions from the BLM soliciting opinions from RAC members. It was all BLM, one-way information. He wants to be on the RAC to provide advice. He agreed with concerns about the diversity of issues between the east and west sides of the district.

Pat Frost suggested that the new charter should specify geographic balance as well as interest balance.

Tony Shaw referred to his comments at the last joint meeting, when this topic was discussed. He said people from areas affected by BLM management need to be involved in decision making. He hopes this move is not penny-wise and pound-foolish. Hope this

is not penny wide and pound foolish. Things are accomplished because of relationships we have with people. If the change does not the BLM should consider bringing back a two-RAC structure for the district.

Dennis Possehn said he does not believe that staff needs to be at all meetings -- field managers included. They should be involved only when issues before the RAC pertain to their field offices.

Ryan Henson said a great thing about local focus is the ability to spend time on the issues that directly affect regions. This move puts us in danger of losing a valuable regional focus. There will be fewer meetings and people will be working on issues that don't affect the area where they live.

Frank thinks we are overstating the savings that would be realized.

Sean Curtis also commented on expenses, noting that in the Northeast, only half of the members travel for a given meeting because the meetings are usually where they live. There is always a geographic challenge regardless the size of the organization and its area of jurisdiction. The challenge here is being able to get what the BLM needs, and it is important for members to have a geographic perspective on issues being discussed. He cited the Northeast RAC work on juniper, wild horses and sage grouse that are valuable. The RACs in their current form have the ability to transform how the agency does business.

Sean said the cost per member will go up because everyone will have to travel for every meeting, and there will be greater travel distances and time.

Bob Schneider said the real question is: Does this new structure achieve what the BLM needs more effectively than the current structure? He requested a formal fiscal analysis. Nancy declined assigning that additional workload to staff.

Ryan suggested that the BLM should think about RAC meeting cost reductions by using virtual meeting technology.

Eric Leuder said a key point is that the BLM is losing resources in people. A result might be reducing the workload required for the RACs, because people are needed elsewhere.

Sean commented that if the decision is made we need to move forward, even though this will not be nearly as valuable to the BLM as the current RAC structure.

There was agreement with suggestions that the BLM needs to begin the process to develop a new charter now to prevent a void in RAC advice to the district.

Public Comment

Debbie Coffey: She pays attention to other RACs and wants to participate even though she does not live in the area. Public input to the BLM does not stop just because people are not on the RAC. She encouraged people to be careful about stereotyping one another.

Carla Bowers: Concerned that wild horse and burro topic is not at the forefront for many RAC members. Most don't seem to be well educated about the issues. She encouraged members to become more informed to be able to provide more input, including a review of the National Academy of Sciences report on the Wild Horse and Burro Program.

Nancy offered condolences to the family of Luke Sheehy a smokejumper who was killed while fighting a fire on the Modoc National Forest.

The meeting was adjourned